

tions now harrassing the people on the borders of New Mexico and Oklahoma would thereby be definitely and permanently settled.

Respectfully submitted.

JNO. H. STEPHENS.

#### FORTY-SECOND DAY.

Senate Chamber,  
Austin, Texas, Saturday, March 21, 1903.

Senate met pursuant to adjournment.  
President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Beaty. Willacy.  
Douglass.

#### ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.  
W. E. DeLamar.  
R. M. Gilmore.  
Amos Wynne.  
W. M. Cobb.  
Eldred McKinnon.  
Mrs. Laura V. Grinnan.  
F. P. Smith.  
Miss Lucy Lane.  
C. H. Allen.  
D. F. Hughes.  
Frank Mullins.  
Rev. I. S. Davenport.  
Miss May Fant Odom.  
J. C. Son.  
Miss Georgia Sturgiss.  
Mrs. Hattie Yarbrough.  
Miss Emily Holcomb.  
Mrs. J. R. Van Orden.  
Miss Bessie Goldstein.  
Miss L. Stanley.  
W. T. Pace.  
W. A. Shaw, Jr.  
Lucien Goss.  
Herbert Davenport.

Charlie Lane.  
Willie Gibson.  
Henry Paulus.  
Evetts Thornhill.  
Walter Savage.  
Willie Gray.  
Ed Underhill.  
John Durst.  
Will Bartley.  
Reed Pierson.  
Dan Edwards.  
Josh Pyles.  
Ellis Monroe.  
Albert Hill.  
Mark Marsh:

Absent.

Jamie Snipes.

Absent—Excused.

C. J. Kirk.  
Mrs. Hope H. Hawkins.  
Jas. Sebastian.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Mills, the same was dispensed with.

#### COMMITTEE REPORTS.

The following committee reports were offered:

#### JUDICIARY NO. 2.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

House bill No. 199, A bill to be entitled "An Act to amend Section 1, of Article 1093, Title XV, of the Code of Criminal Procedure of the State of Texas, so as to provide for the payment of any witness who may have been recognized, subpoenaed or attached and given bond for his appearance before any grand jury out of the county of his residence, to give testimony in a felony case, and who shall appear in compliance with the obligation of such recognizance or bond,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PAULUS, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 307, A bill to be entitled "An Act to amend Section 4, of Chapter 11, of the acts of the First Called Session of the Twenty-seventh Legislature of the State of Texas, approved September 7, 1901, relating to fees of the sheriff or constable, providing for the amount of said fee, and for the payment of the sheriff's and constable's costs, so as to strike out that part of Section 4, Subdivision 8, which requires an account when presented to the Comptroller, it shall be accompanied by a certified copy, under the hand and seal of the district attorney, of the returns made on the process for which such officer is claiming fees, corresponding to the amount so claimed by his account,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 308, A bill to be entitled "An Act to amend Section 3, Article 1092, Title XV, Chapter 2, of the Code of Criminal Procedure of the State of Texas, so as to provide that when the sheriff or constable be required to remove a prisoner to or from another county before indictment, and the prisoner is afterwards indicted for felony on the same charge, the sheriff or constable shall be entitled to the same fees as though the removal was made after the indictment,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

#### PUBLIC LANDS AND LAND OFFICE.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 106, A bill to be entitled "An Act to amend Section 9, Chapter 11, Act of February 23, 1900, relating to the patenting of homestead claims, pre-emptions and other persons who settled upon land or purchased same, which act adjusted the account between the State and school fund, and declaring an emergency,"

Have had the same under considera-

tion, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

(Floor report.)

GRINNAN, Chairman.

#### ROADS, BRIDGES AND FERRIES.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 562, A bill to be entitled "An Act to create a more efficient road system for Hunt county,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 467, A bill to be entitled "An Act to amend Section 51, Chapter 51, of an act entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Panoia, Upshur, Shelby and Smith,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 560, A bill to be entitled "An Act to create a more efficient road system in the counties of Guadalupe, Caldwell, Comal, Hays, Bastrop, Gonzales and Colorado,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 526, A bill to be entitled "An Act to create a more efficient road system for Nacogdoches county,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 478, A bill to be entitled "An Act authorizing Cooke county to issue bonds for construction of permanent main roads,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 558, A bill to be entitled "An Act to create a special road law for Delta county,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that the bill be not printed.

FAULK, Chairman.

#### ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 236, A bill to be entitled "An Act to authorize the Southern Kansas Railway Company of Texas to purchase the railroads and all other property of the Pecos & Northern Texas Railway Company, and of the Pecos River

Railway Company, now owned, and hereafter acquired, and to operate the same under the charter of the Southern Kansas Railway Company, as part of its own line, with the right to extend the said roads, or either of them, and to construct branches therefrom, by amendment of its charter under the general laws of the State of Texas; and to authorize the corporation or corporations, person or persons, now or hereafter owning the said properties, to sell the same to the Southern Kansas Railway Company of Texas, and until such purchase is made to authorize the lease by the Southern Kansas Railway Company of Texas of the railroads and other properties of said two other companies,"

And find the same correctly engrossed.  
PATTESON, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 289, A bill to be entitled "An Act making it unlawful for any fire, fire and marine, marine, tornado, rent, accident, casualty, liability, health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance company, which is legally licensed to transact insurance business in this State to place any contract or policy of insurance on any property of persons in this State, except through legally authorized and licensed agents, resident in this State; to prohibit said resident agents so licensed from paying commissions or brokerage on business written to non-residents of the State of Texas not so licensed; to further prescribe conditions to be complied with by said insurance company before authorizing it to transact business in this State; to empower the Commissioner of Insurance to investigate violations of these requirements, and to provide penalties for enforcing the provisions of this act, and to increase the public revenue, and to repeal Chapter 135, of the General Laws of the Twenty-fifth Legislature,"

And find the same correctly engrossed.  
PATTESON, Chairman.

Committee Room,  
Austin, Texas, March 18, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 231, A bill to be entitled "An Act amending Chapter 15, of Title

LXXXVI, Revised Statutes of Texas, 1895, by amending Article 3995, authorizing trustees of towns and villages incorporated for free school purposes only to issue bonds, payable at a date not exceeding forty years from their date, for the purpose of purchasing or constructing public free school buildings and sites therefor, and by adding to said chapter Article 3995b, providing for the refunding of bonds legally issued by such towns and villages, and authorizing the State Treasurer, upon the order of the Board of Education, to exchange bonds not matured held by him for the permanent school fund for new refunding bonds issued by the same incorporation under the provisions of this act,"

And find the same correctly engrossed.  
PATTESON, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 305, A bill to be entitled "An Act to amend Sections 5, 6, 8, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 24, 29, 30, 32, 33, 34, 35, 36, 38, 39, 41, 44, 45, 46, 47, 49, 51, 54, 55, 56, 59, 61, 62, 63, 66, 67, 69, 70, 73, 77 and 78 of an act to incorporate the city of Galveston, and to grant it a new charter, and to repeal all pre-existing charters, approved April 18, 1901; and to further amend said act by adding thereto Section 12a; and to repeal Sections 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91 and 92 of this act, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.  
PATTESON, Chairman.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 316, A bill to be entitled "An Act to amend Section 2 of the charter of the city of Dallas, relative to the boundary lines of said city, and adding thereto Section 2a, by changing said boundary and limits of the said city of Dallas, thereby including the corporation and city of Oak Cliff and annexing the territory thereof to the city of Dallas, and abolishing the corporation of the city of Oak Cliff,"

And find the same correctly engrossed.  
PATTESON, Chairman.

## TOWNS AND CITY CORPORATIONS.

Committee Room,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred House bill No. 554, A bill to be entitled "An Act to amend Sections 71, 94, 95 and 96 of an act entitled 'An Act to incorporate the city of Austin,'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

(Floor report.)

HICKS, Chairman.

PAGE EXCUSED.

On motion of Senator Mills, James Snipes, page, was excused from attendance upon the Senate for today and until Monday on account of sickness.

Morning call concluded.

## HOUSE BILL NO. 103.

On motion of Senator Harper, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 103.

The Chair laid before the Senate, on its third reading,

House bill No. 103, A bill to be entitled "An Act to add to the Agricultural and Mechanical College of Texas a department of instruction in the theory and practical art of textile and kindred branches of industry, and to make an appropriation therefor."

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILLS NOS. 88, 345 AND 178 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read:

House bill No. 345, "An Act to create a more efficient road system for Matagorda county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county; and providing for the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; and

providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads, and relieving road hands from the performance of road work by the payment of the sum of three dollars; and providing for elections for issuance of bonds for public road and bridge purposes, and providing for the issuance and sale of such bonds by the commissioners court of said county; and providing further, making this law cumulative of the General Laws, and in case of a conflict this act to govern as to Matagorda county, Texas, and creating an emergency."

House bill No. 88, "An Act to provide for instruction in manual training and the art of teaching manual training in the State normal schools of Texas; to provide for State aid in the necessary equipment for teaching manual training in public schools, and to make an appropriation for such purpose."

House bill No. 178, "An Act to restore and confer upon the county court of Hartley county the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and the general laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

#### PRIVILEGED MOTION.

Senator Harbison called up Senate bill No. 65, and moved that the Senate rescind its action on the adoption of the Free Conference Committee report.

The motion prevailed.

Senator Harbison asked that a Free Conference Committee be appointed.

The Chair appointed the following Free Conference Committee: Senators Harbison, Lipscomb, Hale, Faubion and Hill.

#### SENATE BILL NO. 247.

On motion of Senator Mills, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 247.

The Chair laid before the Senate, on its second reading,

Senate bill No. 247, A bill to be entitled "An Act to amend the Penal Code of the Revised Statutes, as adopted April 25, 1895, relating to the game and fish laws."

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'Rusk,' in line 20, page 2, 'Harrison and Gregg.'"

The amendment was adopted.

Senators Perkins, Stafford and Faust offered the following amendment:

"Amend by exempting from the provisions of the act the counties of 'Anderson, Angelina, Cherokee, Houston, Trinity, Wood, Van Zandt, Smith, Upshur, Camp and Comal.'"

The amendment was adopted.

Senator Hale offered the following amendment:

"Amend by exempting from the provisions of Article 517 the counties of 'Burleson, Lee, Bastrop and Washington.'"

The amendment was adopted.

Senator Faubion offered the following amendment:

"Amend Article 517, line 16, by adding after the word 'dollars' the words 'and in addition may be imprisoned in the county jail not exceeding ten days.'"

The amendment was adopted.

Senator Davidson of Galveston offered the following amendment:

"Exempt the counties of 'Galveston, Chambers, Brazoria, Fort Bend, Matagorda and Wharton.'"

The amendment was adopted.

Senator Mills offered the following amendment:

"Amend the bill by adding after the word 'sparrow,' in line 25, page 1, the words 'or lark.'"

The amendment was adopted.

(Senator Sebastian in the chair.)

On motion of Senator Mills, further consideration of this bill was postponed until Tuesday morning.

#### HOUSE BILL NO. 15.

On motion of Senator Savage, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 15.

The Chair laid before the Senate, on its second reading,

House bill No. 15, A bill to be entitled "An Act to prevent coercion or blacklisting of any employe or laborer, and to provide a penalty for the violation of the same."

The bill was read second time, and passed to a third reading.

#### SENATE BILL NO. 269.

On motion of Senator Perkins, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 269.

The Chair laid before the Senate, on its second reading,

Senate bill No. 269, A bill to be entitled "An Act authorizing persons indicted for felony, whose plea is insanity, to be admitted into the State Insane Asylum at Austin, to be there observed and detained until the further order of the judge, so that the truth or falsity of such plea may be ascertained; further

the State penitentiary, who are adjudged authorizing all persons now confined in to be insane, to be transferred to said institution for observation, treatment and safe keeping, and prescribing methods and proceedings by which such transfers shall be made; also allowing transfers to said asylum of all persons now confined in any other of the insane asylums who are charged with criminal offenses, and making suitable provisions for the safe and proper keeping of all the above classes named, and repealing all laws and parts of laws in conflict with this act."

Senator Perkins moved that the committee report be adopted.

The motion prevailed.

Bill was read second time, and ordered engrossed.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Wilson.

Absent.

Brachfield.	Savage.
Cain.	Willacy.
Douglass.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Wilson.

Absent.

Beaty.	Patteson.
Cain.	Savage.
Douglass.	Willacy.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 63.

On motion of Senator Paulus, pending business (Senate bill No. 302) was suspended, and the Senate took up, out of its order, Senate bill No. 63.

The Chair laid before the Senate, on its second reading,

Senate bill No. 63, A bill to be entitled "An Act to amend Article 804, Chapter 3, of the Revised Statutes of 1895, fixing a punishment for persons who shall enter upon enclosed lands of another without the consent of the owner, proprietor or person in charge, and therein hunt with firearms, or therein catch or take any fish from any pond, tank, lake or stream,"

With the following committee amendment:

"Provided further, that this act shall not apply to enclosures including two thousand acres or more in one enclosure."

The committee amendment was adopted.

Senator Paulus offered the following amendment:

"The fact that there is now no adequate law on this subject, and the further fact that the calendar is now crowded, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and this act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Savage.
Harper.	Sebastian.
Henderson.	Stafford.
Hicks.	Wilson.
Hill.	

Absent.

Beaty.	Decker.
Cain.	Douglass.
Davidson of	Harbison.
DeWitt.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—23.

Brachfield.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Hale.	Paulus.
Hanger.	Perkins.
Harper.	Savage.
Henderson.	Sebastian.
Hicks.	Stafford.
Hill.	Wilson.
Lipscomb.	

Absent.

Beaty.	Douglass.
Cain.	Faubion.
Davidson of	Harbison.
DeWitt.	Willacy.
Decker.	

Senator Paulus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 554, A bill to be entitled "An Act to amend Sections 71, 94, 95 and 96, of an act entitled 'An Act to incorporate the city of Austin; to grant it a new charter, and to fix its boundaries,' passed in the House of Representatives on the 28th day of March, 1901, in the Senate on the 4th day of April, 1901, and approved by the Governor on the 18th day of April, 1901, so as to provide a method for the election of a city treasurer for the city of Austin by the city council of said city; to define his duties; to fix his salary; to otherwise regulate the filling of said office and its administration, and to repeal all existing charter provisions of said city which conflict or are inconsistent with the provisions of this act."

House bill No. 560, A bill to be entitled "An Act to create a more efficient road system in the counties of Guadalupe, Caldwell and Comal, and auxiliary thereto to provide for the issuing of bonds for the construction of permanent main roads in any one of said counties; regulating the expenditure of the funds arising therefrom, and authorizing any commissioner's precinct in said Guadalupe, Caldwell or Comal counties to vote a

special road tax upon the property in such precincts, and to issue bonds for the construction of permanent main roads therein, and to secure to such precinct its proper and lawful share of the regular road and bridge tax, and to exempt certain vehicles from taxation; to provide for the appointment of road overseers; to define the power and jurisdiction of the commissioners courts of said counties; to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said counties, and to provide adequate penalties for the violation of the provisions of this act, and declaring an emergency clause."

House bill No. 478, A bill to be entitled "An Act authorizing Cooke county to issue bonds for the construction of permanent main roads; regulating the expenditure of the funds arising therefrom, and authorizing any precinct in said Cooke county to vote a special road tax upon the property of such precinct, and to issue bonds for the construction of permanent main roads therein and to secure to such precinct its proper and lawful share of the regular road and bridge tax, and to exempt certain vehicles from taxation, and declaring an emergency."

House bill No. 558, A bill to be entitled "An Act to create a special road law for Delta county, Texas."

House bill No. 467, A bill to be entitled "An Act to amend Section 51, Chapter 51, of an act entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Pannola, Upshur, Shelby, and Smith, and auxiliary thereto to provide for the appointment of road overseers; to define the power and jurisdiction of the commissioners courts of said counties with regard thereto; to utilize the labor of defaulting poll tax payers on the public roads of said counties, and to provide adequate penalties for the violation of the provisions of this act,' as passed by the Twenty-third Legislature and approved April 19, 1893, by adding thereto Section 51a."

House bill No. 293, A bill to be entitled "An Act to provide for the protection of honey bees against foul brood and all other contagious diseases, and providing that all beekeepers report to the State Entomologist when infectious diseases exist; providing for the extermination of all contagious diseases, and providing penalties for the violation of any of the provisions of this act."

Senate bill No. 215, A bill to be entitled "An Act to create a more efficient road system for Limestone county, Texas."

Senate bill No. 235, A bill to be entitled

"An Act to amend Section 1 of an act of the Twenty-first Legislature, entitled 'An Act to incorporate the city of Waco, and define its boundaries and powers.'"

House bill No. 562, A bill to be entitled "An Act to create a more efficient road system for Hunt county, Texas."

Substitute Senate bill No. 252, A bill to be entitled "An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs," with amendments.

House bill No. 280, A bill to be entitled "An Act to renew and continue in force an act entitled 'An Act to charter the Nacogdoches University,' approved February 3, 1845, and again renewed by an act entitled 'An Act to renew and continue in force an act entitled an act to charter the Nacogdoches University, approved February 3, 1845,' said renewal act approved February 11, 1873, the purpose of the bill being to renew and continue in force the charter of the Nacogdoches University, the same having expired by limitation."

Senate bill No. 264, A bill to be entitled "An Act to validate the incorporation of the city of San Augustine, San Augustine county, Texas."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### PRIVILEGED MOTION.

Senator Faulk called up Senate bill No. 252 and moved that the Senate concur in the following House amendments:

(1) "Amend line 18, Section 8, page 9, by striking out the word 'second,' and insert in lieu thereof the word 'first.'"

(2) "Amend line 27, Section 8, page 9, by striking out the word 'third,' and insert in lieu thereof the word 'twenty-seventh.'"

(3) "Amend line 28, Section 8, page 9, by striking out the word 'April,' and inserting in lieu thereof the word 'March.'"

(4) "Amend page 10, Section 8, line 1, by striking out the word 'second,' and insert in lieu thereof the word 'first.'"

(5) "Amend line 8 by striking out the word 'second,' and insert in lieu thereof the word 'first.'"

(6) "Amend page 13, Section 10, line 28, by adding after the word 'charter,' the following: 'except for school trustees.'"

(7) "Amend page 149, Section 193, line 22, by striking out the word 'seventh,' and inserting in lieu thereof the word 'sixth.'"

(8) "Amend line 25 by striking out

the word 'seventh' and inserting in lieu thereof the word 'sixth.'"

(9) "Amend page 153 by inserting in line 16, between Section 193 and Section 194, the word 'revenue.'"

The motion to concur in the amendments prevailed.

#### SENATE BILL NO. 296.

On motion of Senator Brachfield, pending business (Senate bill No. 302) was suspended, and the Senate took up, out of its order, Senate bill No. 296.

The Chair laid before the Senate on its second reading,

Senate bill No. 296, A bill to be entitled "An Act to amend Article 5065 of Title CIV, Chapter 2, of the Revised Civil Statutes of the State of Texas, so as to exempt the property of charitable institutions from taxation."

(President Pro Tem. Davidson of DeWitt in the chair.)

Senator Brachfield offered the following amendment:

"Amend the bill by adding after Subdivision 6, page 2, the following:

"7. All fire engines and other implements owned by towns and cities, used for the extinguishment of fires, with the buildings used exclusively for the safe keeping thereof."

"8. All market houses, public squares or other public grounds, town or precinct houses or halls, used exclusively for public purposes, and all works, machinery or fixtures belonging to any town and used for conveying water to such town."

"9. All public libraries and personal property belonging to the same."

"10. All household and kitchen furniture, not exceeding at their true and full value two hundred and fifty dollars in each family, in which may be included one sewing machine."

"11. All annual pensions granted by the State."

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend the bill, page 2, line 24, by striking out Section 532, and inserting in lieu thereof the following: 'Section 12.'"

The amendment was adopted.

Bill was read its second time and ordered engrossed.

On motion of Senator Sebastian the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Brachfield.	Davidson of
Davidson of	Galveston.
DeWitt.	Decker.



Faubion.	Lipscomb.
Faulk.	Martin.
Faust.	McKamy.
Grinnan.	Mills.
Hale.	Morris.
Hanger.	Patteson.
Harbison.	Paulus.
Harper.	Perkins.
Henderson.	Sebastian.
Hicks.	Stafford.
Hill.	Willacy.

Absent.

Beaty.	Savage.
Cain.	Wilson.

Douglass.

The bill was read third time, and passed by the following vote:

Yeas—25.

Brachfield.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Sebastian.
Hanger.	Stafford.
Harper.	Wilson.
Henderson.	

Absent.

Beaty.	Harbison.
Cain.	Savage.

Douglass.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 208.

The Chair laid before the Senate on its third reading, pending business,

Senate bill No. 208, A bill to be entitled "An Act to define the status of joint stock associations and joint stock companies, and to provide that such associations and companies having any of the powers or privileges of corporations not possessed by individuals or partnerships shall be subject to all the laws of this State with regard to corporations."

The bill was read third time, and passed.

Senator Henderson moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing,

and did sign, in the presence of the Senate, after its caption had been read,

House bill No. 154, "An Act to amend Sections 5 and 13, of an act passed by the Twenty-seventh Legislature, creating a special road system for the county of Coryell, and to repeal Section 8 of said act."

House bill No. 283, "An Act to amend Article 1222, page 274, Revised Civil Statutes of 1895, relating to service citations in suits against incorporated companies and joint stock companies."

House Concurrent Resolution No. 17, Authorizing the Superintendent of Public Buildings and Grounds to expend \$2,500 in repairing and keeping in proper condition the State cemetery."

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: I am directed by the House to inform the Senate that the House has passed the following:

Senate bill No. 266, A bill to be entitled "An Act to amend an act entitled 'An Act to incorporate the city of Waco, and to define its boundaries and powers, approved February 19, 1889, by adding thereto a section to be known and numbered as Section 21a, and to authorize the maintenance by said city of free public libraries," with amendments.

House concurs in Senate amendments to House bill No. 63.

House adopted the report of the Free Conference Committee to Senate bill No. 21.

House concurred in Senate amendments to House bill No. 243.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representative

## THIRD HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: I am directed by the House to inform the Senate that the House has reconsidered the vote by which Free Conference Committee report was adopted on Senate bill No. 8, and report withdrawn for further action by Free Conference Committee.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives,

## SENATE BILL NO. 302.

The Chair laid before the Senate on its second reading, pending business,

Senate bill No. 302, A bill to be entitled "An Act further regulating the amendment of charters of corporations incorporated for the purpose of constructing, owning, operating and maintaining railroads, and to provide for the location, construction, operation and maintenance of additional lines or tracks of railroad necessary to shorten the route or reduce the grades of the tracks of the lines of such companies under and by virtue of such amendments, and regulating the issuance of stocks and bonds to pay for the construction of such lines or tracks of railroad; and to prohibit the attachment of liens theretofore existing upon the property of such additional lines or tracks and to provide the manner and means of accomplishing such purposes."

#### BILLS READ AND REFERRED.

The Chair had read and referred, after their captions had been read, the following House bills:

House bill No. 293, A bill to be entitled "An Act to provide for the protection of honey bees against foul brood and all other contagious diseases, and providing that all beekeepers report to the State Entomologist when infectious diseases exist; providing for the extermination of all contagious diseases, and providing penalties for the violation of any of the provisions of this act."

Referred to Committee on Agricultural Affairs.

House bill No. 478, A bill to be entitled "An Act authorizing Cooke county to issue bonds for the construction of permanent main roads; regulating the expenditure of the funds arising therefrom, and authorizing any precinct in said Cooke county to vote a special road tax upon the property of such precinct, and to issue bonds for the construction of permanent main roads therein and to secure to such precinct its proper and lawful share of the regular road and bridge tax, and to exempt certain vehicles from taxation, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

House bill No. 554, A bill to be entitled "An Act to amend Sections 71, 94, 95 and 96, of an act entitled 'An Act to incorporate the city of Austin; to grant it a new charter, and to fix its boundaries,' passed in the House of Representatives on the 28th day of March, 1901, in the Senate on the 4th day of April, 1901, and approved by the Governor on the 18th day of April, 1901, so as to provide a method for the election of a city treasurer of the city of Austin by the city council of said city; to define his duties; to fix his salary; to otherwise regulate the filling of said office and its admin-

istration, and to repeal all existing charter provisions of said city which conflict or are inconsistent with the provisions of this act."

Referred to Committee on Towns and City Corporations.

House bill No. 558, A bill to be entitled "An Act to create a special road law for Delta county, Texas."

Referred to Committee on Roads, Bridges and Ferries.

House bill No. 467, A bill to be entitled "An Act to amend Section 51, Chapter 51, of an act entitled 'An Act to create a more efficient road system in the counties of Cherokee, Houston Anderson, Trinity, Franklin, Delta, Harrison, Panola, Upshur, Shelby, and Smith, and auxiliary thereto to provide for the appointment of road overseers; to define the power and jurisdiction of the commissioners courts of said counties with regard thereto; to utilize the labor of defaulting poll tax payers on the public roads of said counties, and to provide adequate penalties for the violation of the provisions of this act,' as passed by the Twenty-third Legislature and approved April 19, 1893, by adding thereto Section 51a."

Referred to Committee on Roads, Bridges and Ferries.

House bill No. 560, A bill to be entitled "An Act to create a more efficient road system in the counties of Guadalupe, Caldwell and Comal, and auxiliary thereto to provide for the issuing of bonds for the construction of permanent main roads in any one of said counties; regulating the expenditure of the funds arising therefrom, and authorizing any commissioner's precinct in said Guadalupe, Caldwell or Comal counties to vote a special road tax upon the property in such precincts, and to issue bonds for the construction of permanent main roads therein, and to secure to such precinct its proper and lawful share of the regular road and bridge tax, and to exempt certain vehicles from taxation; to provide for the appointment of road overseers; to define the power and jurisdiction of the commissioners courts of said counties to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said counties, and to provide adequate penalties for the violation of the provisions of this act, and declaring an emergency clause."

Referred to Committee on Roads, Bridges and Ferries.

House bill No. 280, A bill to be entitled "An Act to renew and continue in force an act entitled 'An Act to charter the Nacogdoches University,' approved February 3, 1845, and again renewed by an act entitled 'An Act to renew and con-

tinue in force an act entitled an act to charter the Nacogdoches University, approved February 3, 1845,' said renewal act approved February 11, 1873, the purpose of the bill being to renew and continue in force the charter of the Nacogdoches University, the same having expired by limitation."

Referred to Committee on Roads, Bridges and Ferries.

House bill No. 562, A bill to be entitled "An Act to create a more efficient road system for Hunt county, Texas."

Referred to Committee on Roads, Bridges and Ferries.

#### POINT OF PERSONAL PRIVILEGE.

Senator McKamy rose to a point of personal privilege in regard to the resolution adopted on yesterday, and expressed his desire to exonerate the Public Printer; also asked that the Public Printer, Mr. Baldwin, be permitted to make a statement to the Senate.

At the conclusion of Senator McKamy's remarks,

Senator Savage offered the following resolution:

Resolved, That the Public Printer be permitted to make a statement to the Senate relative to printing bills and to answer such questions as may be propounded to him by the President of the Senate.

The resolution was adopted.

#### SIMPLE RESOLUTION.

Senator Grinnan offered the following resolution:

Whereas, Substitute House bill Nos. 115 and 219, known as the Text-book bill, finally passed by the House of Representatives, and was on the 10th day of March referred by this body to the Committee on Educational Affairs; and

Whereas, Said bill is still pending before said committee and has not yet been reported back to the Senate; and

Whereas, The passage of said bill is of great importance to the people and should be passed at this session of the Legislature, and, on account of the early adjournment of this Legislature on April 1st, will likely be defeated unless said bill is reported back to this body at once; be it

Resolved, That said Committee on Educational Affairs be, and is, hereby requested to report said bill to this Senate, if possible, at its next meeting day.

The resolution was read and laid on the table subject to call.

#### JOURNAL CORRECTIONS.

Senator Lipscomb moved that the Free Conference Committee report on House

bill No. 392, published in yesterday's Journal, be corrected as follows:

"Amend by striking out Section 18 on pages 58 and 59."

The motion prevailed, and the Journal will be corrected.

#### SENATE BILL NO. 302.

Action recurring on Senate Bill No. 302,

Senator Harper offered the following amendment:

"Amend by adding after the words 'thereof,' in line 27, page 1, the following: 'provided no change of tracks or switches of any kind shall be made, or road built, except upon the written permission of the Railway Commission; and provided said new road built, if authorized, shall not be such a road as would, if owned by another, be a parallel or competing line of railway.'"

#### RECESS.

Senator Faulk moved that the Senate recess until 3 o'clock.

Senator Hale moved that the Senate adjourn until 10 o'clock Monday morning.

Action being on the longest time first, the motion to adjourn till Monday morning was lost.

Action then being on the motion to recess until 3 o'clock, the same prevailed, and the Senate, at 1 o'clock p. m., took a recess until 3 o'clock.

#### AFTER RECESS.

Senate was called to order by President Pro Tem. Davidson of DeWitt.

Senator Stafford called up the resolution offered by Senator Grinnan this morning, and moved that the resolution be adopted.

The motion prevailed.

#### PENDING BUSINESS—SENATE BILL NO. 302.

Action recurring on the amendment offered by Senator Harper,

Senator Hale offered the following substitute for the amendment:

"Amend by adding after the word 'require,' in line 26, on page 2, the following: 'as may be determined by the Railroad Commission of Texas.'"

Senator Savage made a point of order, that the substitute for the amendment was out of order, inasmuch as it perfected a different part of the bill.

The Chair sustained the point of order.

Senator Hanger offered the following amendment to the amendment:

"Amend the amendment by striking out all after the words 'Railway Commission.'"

Pending discussion,

Senator Faulk moved that further consideration of the bill be postponed until next Monday morning at conclusion of morning call.

The motion prevailed.

#### HOUSE BILL NO. 196.

On motion of Senator McKamy, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 196.

The Chair laid before the Senate on its second reading,

House bill No. 196, A bill to be entitled "An Act to prohibit the buying and selling of pools or receiving or making bets on horse racing, to prohibit leasing the premises for pool rooms, and to provide a penalty for its violation."

There being a majority and a minority committee report,

Senator McKamy moved that the majority committee report be adopted.

The motion prevailed.

(Senator Hill in the Chair.)

Senator Hicks offered the following amendment:

"Amend by adding after the word 'race,' in line 21, page 1, the following: 'except it be on the day said race is run, and within two hundred feet of the tracks, or the grounds, where such horse racing is to be actually engaged in.'"

Senator Decker moved the previous question on the amendment.

It being duly seconded, the question was so ordered.

The amendment was lost by the following vote:

#### Yeas—6.

Decker.	Lipscomb.
Hicks.	Paulus.
Hill.	Stafford.

#### Nays—19.

Brachfield.	Henderson.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Faubion.	Patteson.
Faulk.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Wilson.
Harper.	

#### Absent.

Beaty.	Faust.
Cain.	Harbison.
Douglass.	Willacy.

Senator Paulus offered the following amendment:

"Amend by adding after line 7, page 2, the following:

"Section 3. If any owner, lessee or publisher of any newspaper in the State of Texas shall advertise the business of any one buying, pooling or otherwise wagering anything of value on any horse-race to be run outside the State of Texas, he shall be fined not less than \$25 nor more than \$100 for each and every time he may advertise said business.'"

Senator Faulk moved a point of order, that the amendment was not germane to the bill.

The Chair (President Pro Tem. Davidson of DeWitt) sustained the point of order.

Senator Hill offered the following amendment:

"Amend Section 2 by inserting after the word 'place,' line 26, page 1, the following: 'where pools are sold on horse races.'"

Senator McKamy made a point of order, that the amendment contained nearly the same matter that the amendment by Senator Hicks, which was voted down.

The Chair overruled the point of order.

The amendment was lost by the following vote:

#### Yeas—6.

Hanger.	Lipscomb.
Hicks.	Paulus.
Hill.	Stafford.

#### Nays—19.

Brachfield.	Henderson.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Perkins.
Faulk.	Savage.
Grinnan.	Sebastian.
Hale.	Wilson.
Harper.	

#### Absent.

Beaty.	Faust.
Cain.	Harbison.
Douglass.	Willacy.

Senator Paulus offered the following amendment:

"Amend by adding on page 1, Section 2, line 26, after the word 'place,' the following: 'or shall send any money out of the State for the purpose of buying, pooling or otherwise wagering on any horse race.'"

Senator McKamy moved to table the amendment.

The motion to table prevailed.

Senator Paulus offered the following amendment:

"Amend by adding on page 1, Section 1, line 20, adding after the word 'assist,' the following: 'by advertisement or otherwise.'"

Senator McKamy moved to table the amendment.

The motion to table prevailed.

Senator Hicks offered the following amendment:

"Amend by striking out the word 'and,' in line 23, page 1, and insert the word 'or.'"

Senator Henderson moved the previous question on the amendment and the bill, the same being duly seconded, it was so ordered.

The amendment was lost by the following vote:

Yeas—5.

Hicks.	Paulus.
Hill.	Stafford.
Lipscomb.	

Nays—20.

Brachfield.	Harper.
Davidson of	Henderson.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Wilson.

Absent.

Beaty.	Faust.
Cain.	Harbison.
Douglass.	Willacy.

The bill was read second time, and ordered engrossed.

Senator McKamy moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 103.

On motion of Senator Stafford, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 103.

The Chair laid before the Senate on its second reading,

Senate bill No. 103, A bill to be entitled.

"An Act to amend Articles 3923, 3924 and 3926a, of the Revised Statutes of the State of Texas, to authorize and require the Comptroller of Public Accounts to draw his warrants on the State Treasurer, in favor of the county treasurers and treasurers of independent school districts for the several apportionments of

the available school fund authorized by the State Board of Education for the support of free public schools, on the certificate of the Superintendent of Public Instruction, and to remit such warrants direct to the said treasurers."

Senator Stafford offered the following amendment:

"Amend by adding the following:

"Section 7. All laws and parts of laws in conflict with the provisions of this act are hereby repealed. The near approach of the end of the present session and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this act takes effect from and after its passage, and it is so enacted."

The amendment was adopted.

Bill was read second time, and ordered engrossed.

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Brachfield.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Grinnan.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.
Hill.	

Absent.

Beaty.	Hale.
Cain.	Harbison.
Douglass.	Hicks.
Faust.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—24.

Brachfield.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harper.	Stafford.
Henderson.	Wilson.

Absent.

Beaty.	Harbison.
Cain.	Paulus.
Douglass.	Willacy.
Faust.	

Senator Stafford moved to reconsider the vote by which the bill was passed, and lay that motion on the table.  
The motion to table prevailed.

## SENATE BILL NO. 131.

On motion of Senator Hill, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Senate bill No. 131.

The Chair laid before the Senate on its second reading,

Senate bill No. 131, A bill to be entitled "An Act authorizing the sale of certain portions of the public free school, university and asylum lands, to railroad companies owning, operating or constructing railroads in this State, for the location and establishment of town sites, depots, stations, yards and roundhouses, shops, divisional terminals, or water stations; and to prescribe the terms and conditions of such sales, to authorize the Commissioner of the General Land Office to fix the prices of such lands when sold for such purposes."

On motion of Senator Hill the committee report was adopted.

Senator Hill offered the following amendment:

"Amend the caption by adding after the word 'office' in line 13, page 1, the words 'or board of Regents of the State University, as the case may be.'"

The amendment was adopted.

Senator Hill offered the following amendment:

"Amend Section 2, page 2, by striking out the words 'a reasonable time,' lines 2 and 3, and inserting 'five years.'"

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by striking out the words 'town sites,' in line 30, on page 1."

The amendment was lost.

Senator Savage offered the following amendment:

"Amend by adding after the word 'body,' line 28, page 1, the following: 'at any one town site, and no other body of land surrounding said town site shall be purchased by said railroad companies.'"

The amendment was adopted.

Senator Patteson offered the following amendment:

"Amend by striking out the '640 acres' wherever it occurs in this bill, and insert in lieu thereof 'eighty acres,' in line 28, page 1, to be alternate lots of equal

size and value, one-half to the railroad, and one-half to the said free school, university or asylum lands as the case may be.'"

Senator Savage offered the following substitute for the amendment:

"Amend by striking out, wherever it occurs in the bill '640,' and insert '320.'"

The substitute for the amendment was adopted by the following vote:

Yeas—16.

Davidson of	Lipscomb.
DeWitt.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Perkins.
Hanger.	Savage.
Harbison.	Sebastian.
Hicks.	Wilson.
Hill.	

Nays—5.

Brachfield.	Henderson.
Grinnan.	Patteson.
Harper.	

Absent.

Beaty.	Hale.
Cain.	Martin.
Davidson of	Paulus.
Galveston.	Stafford.
Douglass.	Willacy.
Faust.	

Senator Grinnan offered the following amendment:

"Amend by adding after Section 6, the following:

"Section 7. No railroad company shall be allowed under this act to purchase land within eight miles of any town already located, or within ten miles of any land purchased by it under this act.'"

Senator Faulk moved to postpone further consideration of the bill until Monday morning.

The motion was lost by the following vote:

Yeas—10.

Brachfield.	Harper.
Faubion.	Lipscomb.
Faulk.	McKamy.
Grinnan.	Morris.
Harbison.	Patteson.

Nays—12.

Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Martin.
Galveston.	Mills.
Decker.	Savage.
Hanger.	Sebastian.
Henderson.	Wilson.

## Absent.

Beaty.	Paulus.
Cain.	Perkins.
Douglass.	Stafford.
Faust.	Willacy.
Hale.	

The amendment offered by Senator Grinnan was lost.

Senator Sebastian offered the following amendment:

"Amend by striking out the word 'describe,' in line 25, page 1, and insert in lieu thereof 'describe.'"

The amendment was adopted.

Senator Mills moved the previous question on the bill.

The same being duly seconded, the question was so ordered.

The bill was ordered engrossed.

## SUBSTITUTE HOUSE BILL NO. 10.

On motion of Senator Mills, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Substitute House bill No. 10.

The Chair laid before the Senate on its second reading,

Substitute House bill No. 10, A bill to be entitled "An Act to amend Section 1, of Chapter 111, of an act passed by the Twenty-seventh Legislature, in Regular Session, same being an act to amend Section 4, of Chapter 7, of an act passed by the First Called Session of the Twenty-sixth Legislature to provide a uniform method of selecting trustees in independent school districts, so as to provide for the assessing and collecting of taxes in independent school districts."

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'president,' in line 30, on page 1, the words, 'and they shall choose.'"

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'treasurer,' in line 16, page 2, the words 'not exceeding.'"

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'hands' in line 17, page 2, the words, 'as ordered by the board or the board may appoint as treasurer the person who offers satisfactory bonds as herein provided, and the best bid of interest on advance daily balance for the privilege of acting as such treasurer.'"

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend by striking out the word 'other,' in line 4, page 3.

The amendment was read and adopted. Senator Brachfield offered the following amendment:

"Amend by striking out all after the word 'of,' in line 17, page 3, down to and including the word 'drawn,' in line 27, and insert in lieu thereof the words, 'the independent school districts for which such taxes have been collected.'"

The amendment was adopted.

The bill was read second time, and ordered engrossed.

## HOUSE BILL NO. 157.

On motion of Senator Lipscomb, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 157.

The Chair laid before the Senate, on its second reading,

House bill No. 157, A bill to be entitled "An Act providing for the appointment of official stenographers for district courts by the judges thereof, in all districts composed of only one county, or a portion of one county; prescribing their duties and providing for their compensation; and providing that this act may become applicable to all other district courts in the State."

Senator Hicks moved that the Senate rescind the vote by which the amendment offered by Senator Davidson of DeWitt (see Journal of yesterday) was adopted.

The motion prevailed.

Senator Davidson of DeWitt withdrew the amendment.

Senator Faulk offered the following amendment:

"Amend at the end of Section 5 the following: 'except in cases in which the district courts have not original jurisdiction.'"

The amendment was adopted.

The bill was read second time, and ordered engrossed.

Senator Hicks moved to reconsider the vote by which the bill was ordered engrossed, and to lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 40.

On motion of Senator Harbison, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, House bill No. 40.

The Chair laid before the Senate on second reading,

House bill No. 40, A bill to be entitled "An Act to amend Article 3905, Chapter 7, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the scholastic age."

Senator Harbison offered the following amendment:

"Amend the bill by adding after the word 'year,' in line 24, the following: 'Provided that any person over the age of 17 and under the age of 20 shall be permitted to attend the public free schools free of charge so long as their studies do not exceed the studies prescribed by law in an examination for a second grade teachers' certificate; but such persons over the age of 17 shall not be enumerated in making the scholastic appropriation.'"

#### ADJOURNMENT.

On motion of Senator Hill, the Senate, at 6:35 o'clock p. m., adjourned until Monday at 10 o'clock a. m.

#### FORTY-THIRD DAY.

Senate Chamber.

Austin, Texas, Monday, March 23, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Harbison.	Wilson.

Absent.  
Willacy.

Hanger.  
Perkins.

#### ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.  
W. E. DeLamar.  
R. M. Gilmore.  
Amos Wynne.  
W. M. Cobb.  
Eldred McKinnon.  
Mrs. Laura V. Grinnan.  
C. H. Allen.  
D. F. Hughes.  
Frank Mullins.  
C. J. Kirk.

Miss May Fant Odom.  
J. C. Son.  
Miss Georgie Sturgess.  
Mrs. Hattie Yarbrough.  
Miss Emily Holcomb.  
Mrs. J. R. Van Orden.  
Miss Bessie Goldstein.  
Miss L. Stanley.  
W. A. Shaw, Jr.  
Lucien Goss.  
Herbert Davenport.  
Charlie Lane.  
Willie Gibson.  
Henry Paulus.  
Evetts Thornhill.  
Walter Savage.  
Willie Gray.  
Ed Underhill.  
Will Bartley.  
Reed Pearson.  
Josh Pyles.  
Ellis Monroe.  
Albert Hill.  
Jos. Hill.  
Dan Edwards.  
Mark Marsh.

Absent.

F. P. Smith.  
Miss Lucy Lane.  
Rev. I. S. Davenport.  
Mrs. Hope H. Hawkins.  
W. T. Pace.  
James Sebastian.

Absent—Excused.  
Jamie Snipes.

Prayer by the Rev. W. H. Richardson of McKinney.

Pending the reading of the Journal of yesterday,

On motion of Senator Davidson of same was dispensed with.

#### EXCUSED.

On motion of Senator Wilson, Senator Douglass was excused from attendance upon the Senate on last Thursday, Friday and Saturday, on account of sickness.

On motion of Senator McKamy, Mr. Pace, committee clerk, was excused from attendance upon the Senate on Saturday afternoon, on account of important business.

On motion of Senator Wilson, Senator Beaty was excused from attendance upon the Senate Friday and Saturday, on account of important business.

#### PETITIONS AND MEMORIALS.

Senator Hill offered the following petition:

Longfellow, Texas, March 17, 1903.

Hon. Senator Hill, Austin, Texas.

HONORABLE SIR: We, the undersigned,